

JUL 01 2010

JUDICIAL COUNCIL
OF THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

IN RE COMPLAINT OF
JUDICIAL MISCONDUCT

No. 09-90221

ORDER

KOZINSKI, Chief Judge:

Complainant, a pro se prisoner, alleges that the magistrate judge assigned to his civil case committed various substantive and procedural errors. These charges relate directly to the merits of the judge's rulings and must be dismissed. 28

U.S.C. § 352(b)(1)(A)(ii); Judicial-Conduct Rule 11(c)(1)(B); In re Charge of Judicial Misconduct, 685 F.2d 1226, 1227 (9th Cir. Jud. Council 1982).

Complainant also alleges that the judge was biased against him and favored the state's attorneys. But complainant hasn't provided any objectively verifiable proof (for example, names of witnesses, recorded documents or transcripts) to support these allegations. In re Charge of Judicial Misconduct, 583 F.3d 598, 598 (9th Cir. Jud. Council 2009). Adverse rulings alone are not proof of bias or favoritism. Id. Because there is no evidence of misconduct, these charges must be dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

DISMISSED.